

REMARKS

Claims 1-9 have been previously canceled, claims 11-14 and 22 are currently canceled, claims 10, 15, 16 and 19-21 are currently amended, and claims 23-28 are new. Thus, claims 10, 15-21, 23-28 are currently pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Objections to the Claims:

The Examiner has objected to claims 20 for informalities. Applicant has corrected the informalities and respectfully requests that the Examiner withdraw the objections to the claims.

Response to Objections to the Specification:

The Examiner has objected to Specification for informalities of including references to claims. Applicant has corrected the informalities by removing the claim references and respectfully requests that the Examiner withdraw the objections specification.

Response to Rejections:

Claims 10-12 and 21-22 stand rejected under 35 U.S.C. § 102(b), the Examiner contending that these claims are anticipated by Cotton (USPN 6148205) [Cotton]. Claims 13-18 stand rejected under 35 U.S.C. § 103(a) as being obvious over Cotton in view of IEEE Standard 802.15.1-2002 [IEEE-802.15].

Applicant has amended claims 10 and 21 to essentially include the limitations of claims 11-14. Applicant's claim 10 and claim 21, as amended, both recite:

the first message indicates an artificially received first signal level at the access point, the artificially received first signal level being higher than a signal receiving level actually measured by the access point, the artificially received first signal level formed as a received signal strength indicator value

Applicant's artificially received first signal level is formed as the received signal strength indicator (RSSI) (see e.g., paragraph [00029]). In contrast, IEEE-802.15 teaches an actual measured received first signal level is formed as the RSSI value is (IEEE 7.3 page 32).

All words in a claim must be considered in judging the patentability of a claim against the prior art (MPEP 2173.06)

Applicant respectfully submits that the Examiner as not found Applicants limitation of the artificially received first signal level formed as a received signal strength indicator value.

In view of the above, claims 10 and 21 is patentable. Furthermore, Claims 15-20 which depend on claim 10 are also patentable at least based on their dependency as well as based on their own merits. Therefore, Applicant respectfully requests that the Examiner withdraw the rejections to the claims.

New Claims 23-28:

New claims further define the scope of the invention as described in the specification and drawings. Claims 23-28 are essentially the same as claims 15-20 but are dependent on the access point. In view of the foregoing remarks regarding the other claims, Applicant respectfully submits claims 23-28 are patentable.

Conclusion

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: AUG 27, 2009

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